

REMARKS/ARGUMENTS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments, and the following remarks. Claims 1-22 are in the application. The specification, abstract and claims 1, 4, 5, 6, 10-13, 16-18 and 21 have been amended. No new matter has been added.

The Examiner objected to the specification for lacking proper headings. Applicant has amended the specification to add the headings. The Examiner also objected to the Abstract. Applicant attaches herewith a new Abstract. It is now believed that the specification is in compliance with USPTO requirements.

The Examiner objected to the claims for informalities, and rejected claims 10-13 under 35 USC §112 for indefiniteness. Applicant has amended claims 1, 4, 5, 6, 10-13, 17-18 and 21 in accordance with the Examiner's suggestions. Applicant affirms that the ink pad container is intended to be a part of the claimed combination. Claims 16-22 were rejected for being in improper dependent form. Applicant has amended claim 16 to be an independent claim, so that the ink pad container is now claimed

independently of the stamp. It is now believed that the claims meet the requirements of 35 USC §112.

The Examiner rejected claims 1-3 under 35 USC §102 as being anticipate by Rushworth, and rejected claims 1-3 and 7-8 as being anticipated by Ryer. Claims 1-2 and 4 are rejected as being anticipated by Pichler et al. Claims 1-4, 7-12, 14, 16-17, 19-20 and 22 are rejected as being anticipated by Zindl et al. Claims 9-10 and 14 are rejected under 35 USC 103 as being unpatentable over Ryer in view of Humphries. Applicant respectfully traverses.

Regarding Zindl, Applicant submits herewith a certified translation of the priority document, showing that Applicant is entitled to its earliest priority date, and that Zindl is not a proper prior art reference.

Applicant has amended claim 1 to recite that the ink pad container has recesses cooperating with the guiding and centering projections, as claimed in original claim 4. Claim 4 has been amended to remove this element and to add antecedent basis for claim 5.

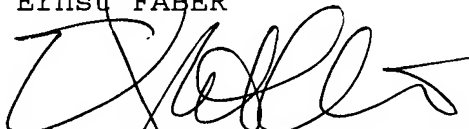
The feature of the recesses cooperating with the guiding and centering projections is not taught or suggested by Rushworth, Ryer, Pichler or Zindl. Pichler et al. merely teaches ribs 9 formed on the upper surface of the receiving shaft 8, which are, a incorrectly stated by the Examiner, not on the two lateral opposite sides of the compartment, as is the case with the present invention. Further, Zindl does not teach the guiding and centering projections being on two opposite sides of the insertion compartment. Rather, the "guiding and centering projections 29, 30 are locking and stop elements (see fig. 4, and col. 8, line 59 in the US patent). Since there is no teaching of recesses on the ink pad container which cooperate with the guiding and centering projections on the two opposite sides of the insertion compartment in any of the cited references, Applicant submits that claims 1-22 are patentable over the cited references, taken either singly or in combination.

The Examiner also rejected claim 7 as claiming the same invention as claim 11 of copending application no. 10/548,745, and rejected claims 1-6 and 18-22 for nonstatutory double patenting. Applicant submits that due to the amendment of claim 1, claim 7 now claims recesses that cooperate with the guiding

and centering projections on the two opposite sides of the insertion chamber. Further, the claims of copending application no. 10/548,745 have been amended to remove reference to the guiding and centering projections altogether. Accordingly, Applicant submits that the nonstatutory double patenting rejections of claims 1-6, and 8-22 has been overcome as well.

Accordingly, Applicant submits that claims 1-22 as amended are patentable over the cited references, and meet the requirements of 35 USC §112. Early allowance of the amended claims is respectfully requested.

Respectfully submitted,
Ernst FABER



COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802

Elizabeth C Richter, Reg. No. 35,103
Attorney for Applicant

ECR:cmm

Enclosure:

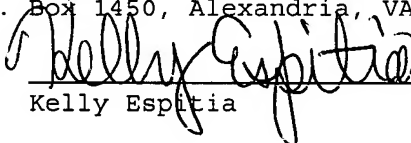
Copy of Petition for 1-month extension of time

Check in the amount of \$60.00

Verified Translation of priority document

Abstract

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 16, 2007.


Kelly Espitia